

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

**GLOBAL FORCE
ENTERTAINMENT, INC. and
JEFFREY JARRETT**

Plaintiff,

v.

**ANTHEM SPORTS & ENTERTAINMENT
CORP. and ANTHEM WRESTLING
EXHIBITIONS, LLC,**

Defendants.

**CIVIL ACTION NO. NO. 3:18-cv-00749
CHIEF JUDGE CRENSHAW**

JURY DEMAND

**MOTION FOR VERY LIMITED EXPEDITED DISCOVERY AND REQUEST FOR
EXPEDITED DETERMINATION DUE TO COPYRIGHT OFFICE DEADLINE**

Plaintiff Global Force Entertainment, Inc. (“GFE”) respectfully moves the Court for a very limited expedited pre-Rule 26 conference discovery and expedited determination of this motion. GFE seeks the ability to access and copy the masters of the sixteen (16) one-hour episodes of GFW Amped (the “Episodes”) content that are the subject of its copyright claims. Both the request for expedited determination and expedited relief are necessitated by a Copyright Office imposed deadline of September 8, 2018, to submit copies of the episodes to the Copyright Office.

As alleged in the Complaint, on or around January 2017, Mr. Jarrett, one of the shareholders of GFW, provided to Defendants the only set of masters for the sixteen (16) one-hour episodes of GFW Amped content. Complaint (Dkt. 1) at ¶ 37. Defendants continue to have the only copy of the masters of the GFW Amped content in their possession. *Id.* As alleged in the Complaint, GFE has sued Defendants for infringement of the episodes by virtue of their

reproduction and distribution of those episodes without GFE's consent and authorization. *See, e.g.*, Complaint (Dkt. 1) at ¶¶ 67-70.

On August 9, 2018, GFE filed 16 applications (the "Applications") for registration with the Copyright Office for each of the 16 episodes. True and correct copies of the filing receipts with the Copyright Office are attached hereto as collective Exhibit 1. The applications are a necessary precondition for filing a copyright infringement claim. *Reed Elsevier, Inc. v. Muchnick*, 559 U.S. 154, 166 (2010). Under the Copyright Office rules, GFE has thirty (30) days to submit deposit copies of the work(s) referenced in the applications. Exhibit 1 ("Mail the deposit copy of copies within 30 days of the case date listed above.") Although GFE indicated in its applications that the only copies of the episodes were not in its possession, GFE seeks leave of the Court for it to be able to submit a single request for production and copying under Rule 34 to Defendants to be answered and the masters produced for inspection and copying within five (5) calendar days. The request for production would state, "Produce for inspection and copying the masters for the sixteen (16) one-hour episodes of GFW Amped content." This narrowly tailored request and the condensed response time will not unduly burden Defendants and will enable GFE to comply the Copyright Office's rules.

GFE, through counsel, requested that Defendants voluntarily produce the masters of the episodes for inspection and copying via a letter sent via email and hand-delivered to Defendant's counsel on August 10, 2018.¹ Neither Defendants nor their counsel have responded to the letter. Accordingly, GFE requires Court intervention for the limited purpose of granting GFE the ability to copy the masters of the episodes to submit to the Copyright Office.

¹ So as to not run afoul of Rule 408 of the Federal Rules of Evidence, GFE has not attached a copy of the letter to this Motion.

Due to the extraordinary circumstances under which this Motion is being filed – namely, the expedited nature of this Motion, Defendants’ refusal to respond to the aforementioned letter, and lack of Notice of Appearance by counsel for Defendants and the necessity of the copies of the 16 episodes – consultation pursuant to Local Rule 37.01 has not occurred and respectfully should be excused.

WHEREFORE, GFE respectfully requests expedited consideration of this Motion; leave to submit to Defendants a request for production under Rule 34 that states, “Produce for inspection and copying the masters for the 16 one-hour episodes of GFW Amped content.”; and a requirement that Defendants respond to the stated request within five (5) calendar days.

Dated: August 24, 2018

Respectfully submitted,
MILLER LEGAL PARTNERS PLLC

/s/ Samuel F. Miller

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Counsel for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this 24th day of August 2018, the foregoing document was filed via ECF and served by postal mail upon the following:

Anthem Sports & Entertainment Corp.
c/o Corporation Trust Company
Corporation Trust Center
1209 Orange Street
Wilmington, Delaware 19801

Anthem Wrestling Exhibitions, LLC
c/o CT Corporation Systems
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Knoxville, Tennessee 37919

/s/ Samuel F. Miller
Samuel F. Miller